

THE LAND PLANNING AND DEVELOPMENT (GUERNSEY) LAW, 2005
AND THE LAND PLANNING AND DEVELOPMENT (GENERAL PROVISIONS)
ORDINANCE, 2007

NOTIFICATION OF GRANT OF PLANNING PERMISSION

PROPOSALS: Raise roof ridge height to create accommodation at 1st floor level, erect single storey extension to east (rear) elevation, install external insulating render system and alterations to fenestration. Replace hedge and planter to front of property.

LOCATION: Dolphin Lodge, Ruelle Des Corneilles, Castel.

APPLICANT: Mr & Mrs E Mitchinson

This permission is granted under the terms of Sections 15 and 16 of the Land Planning and Development (Guernsey) Law, 2005 (the 'Law').

Date of Grant of Permission: 23/11/2023

This notification of grant of permission refers solely to the proposals referred to above as described in your application received as valid on 04/08/2023 and the drawings referred to below. This grant of permission is subject to the following conditions:-

Drawing Nos: Torode Architects - 6304-06B, -07C, -08C, -09A, -10A & -11.

Application Ref: FULL/2023/1386

Property Ref: D01295C000

Conditions and reasons:-

1.All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

2.The development hereby permitted shall be begun within 3 years from the date of grant of this permission.

Reason - This condition reflects section 18(1) of the Land Planning and Development (Guernsey) Law, 2005 which states that planning permission ceases to have effect unless development is commenced within 3 years of the date of grant (or such shorter period as may be specified in the permission).

3.The development hereby permitted and all the operations which constitute or are incidental to that development must be carried out in compliance with all such requirements of The Building (Guernsey) Regulations, 2012 as are applicable to them, and no operation to which such a requirement applies may be commenced or continued unless (i) plans relating to that operation have been approved by the Authority and (ii) it is commenced or, as the case may be, continued, in accordance with that requirement and any further requirements imposed by the Authority when approving those plans, for the purpose of securing that the building regulations are complied with.

Reason - Any planning permission granted under the Law is subject to this condition as stated in section 17(2) of the Land Planning and Development (Guernsey) Law, 2005.

4.Prior to the commencement of any development hereby approved, a soft landscaping and planting scheme for the replacement hedge shown on plan 6304-08C shall be submitted to, and approved in writing, by the Planning Service. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Planning Service. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

5.Prior to its first use, an opaque 1.8m high privacy screen shall be installed along the northern (side) edge of the first floor balcony hereby approved. Thereafter the screen shall be maintained and retained in perpetuity.

Reason: To safeguard the amenity and privacy of the occupiers of the neighbouring residential property.

6.Prior to first use, the windows serving the ensuite and dressing room of the first floor master bedroom, shall be permanently glazed with obscure glass of a minimum industry standard privacy level 3. Thereafter the obscure glazing shall be retained in perpetuity.

Reason: To safeguard the amenity and privacy of the occupiers of the neighbouring residential property.

7.The hard surfacing hereby approved shall not be constructed until full details of that surfacing and its permeability, including a written specification for its laying, have

been submitted to and agreed in writing by the Authority. Thereafter the permeable hard surfacing shall be laid in accordance with the approved details.

Reason- to prevent surface water issues and in accordance with Policy GP9.

Expiry Date: This permission will cease to have effect on 22/11/2026 unless development is commenced by that date.

ADVICE AND OTHER REMARKS:-

Effect of planning permission:

Section 18 of the Land Planning and Development (Guernsey) Law, 2005 ('the Law') defines the effect of the planning permission hereby granted, namely:

- (1) Planning permission ceases to have effect unless the development permitted by it is commenced within a period of three years immediately following the date on which it is granted (or such shorter period as may be specified in the permission).
- (2) Planning permission enures for the benefit of the land concerned and of every person for the time being having an interest in it.
- (3) Any conditions subject to which planning permission is issued are enforceable in accordance with the provisions of Part V of the Law.
- (4) Planning permission for the erection of a building is only permission to use it for the purpose specified in the permission or, subject to any restriction so specified, for any other purpose for which it is designed.
- (5) Planning permission is only permission to carry out the development specified in it (subject to any conditions so specified), and does not imply the giving of any other approval or consent required under this Law or any other enactment or under any rule of law.

Right of appeal against planning decisions:

Your attention is drawn to the provisions of Section 68(1) of the Land Planning and Development (Guernsey) Law 2005, which provides a right of appeal, on the merits against a decision to grant planning permission subject to conditions (except a building condition), to the Planning Tribunal, which is independent of the States of Guernsey. An appeal to the Planning Tribunal under section 68 of the Law against this decision must be made before the expiry of the period of six months beginning with the date on which the Authority made this decision. The official Appeal Notice Forms are available on the States of Guernsey website at www.gov.gg/planningpanel and must

be completed with all enclosures in multiples as requested and received within the six months deadline.

Copy of representations made:

In reaching this decision the Authority took into account any written consultations made under Section 11(1) of the Land Planning and Development (General Provisions) Ordinance, 2007 ('the Ordinance'). A copy of any consultation responses made under section 11 will be included with this decision in accordance with section 19 of the Ordinance.

Other Remarks:

Please note that any work which abuts or affects the public highway requires prior approval by Traffic and Highway Services. Please contact Traffic & Highway Services (highways@gov.gg) for further advice. You must also ensure that any access/es to the development are constructed to meet the existing road/footway levels in accordance with their requirements.

This document is not a Building Licence and confers no approval under the Building Regulations.

A separate Building Control Licence may be required and it is the responsibility of the developer to ensure that ALL necessary consents are obtained and that any pre-commencement conditions are discharged prior to development being commenced.

A J ROWLES

Director of Planning
Planning Service



PLANNING APPLICATION REPORT

Application No: FULL/2023/1386
Property Ref: D01295C000
Valid date: 04/08/2023
Location: Dolphin Lodge Ruelle Des Corneilles Castel Guernsey GY5 7PP
Proposal: Raise roof ridge height to create accommodation at 1st floor level, erect single storey extension to east (rear) elevation, install external insulating render system and alterations to fenestration. Replace hedge and planter to front of property.
Applicant: Mr & Mrs E Mitchinson

RECOMMENDATION - Grant: Planning Permission with Conditions:

1. All development authorised by this permission must be carried out and must be completed in every detail in accordance with the written application, plans and drawings referred to above. No variations to such development amounting to development may be made without the permission of the Authority under the Law.

Reason - To ensure that it is clear that permission is only granted for the development to which the application relates.

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Reason - To make sure that a satisfactory landscaping scheme for the development is agreed, in order to help assimilate the development into its surroundings.

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Reason: To safeguard the amenity and privacy of the occupiers of the neighbouring residential property.

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Reason: To safeguard the amenity and privacy of the occupiers of the neighbouring residential property.

7. The hard surfacing hereby approved shall not be constructed until full details of that surfacing and its permeability, including a written specification for its laying, have been submitted to and agreed in writing by the Authority. Thereafter the permeable hard surfacing shall be laid in accordance with the approved details.

Reason- to prevent surface water issues and in accordance with Policy GP9.

OFFICER'S REPORT

Brief Description of the site:

The site is occupied by an existing bungalow, located in a corner plot at the junction of Rue des Corneilles and Ruelle des Cherfs. The site is relatively flat with dense tree/hedging to the rear.

The application was deferred due to concerns regarding the potential for overlooking from the first floor north (side) facing window, the loss of the hedging to the front garden and the visual and physical impact on the neighbours. Revised plans were received which retained some planting to the front boundary, raised the sill height of the side window and replaced the previous gable end pitched roof with a hipped roof.

Relevant History:

N/A

Existing Use(s):

01 Dwellinghouse

Assessment: *(Tick as appropriate)*

no representation	☒	visual amenity acceptable	☒
accords with policy	☒	no material neighbour impact	☒
within curtilage	☒	traffic not affected	☒
design acceptable	☒		

Policies considered most relevant:

GP1 – Landscape Character

GP13- Householder Development

GP8 – Design

GP9 – Sustainable Development

Conclusion/Brief comment:

The application proposes the raising of the roof ridge to introduce first floor accommodation along with a single storey flat roof extension. The application also includes an external insulating render system and alterations to fenestration.

The existing front hedge is to be removed, the planter reduced in size and a new hedge planted along the front boundary, behind the retained low front wall. This will be secured by condition and will retain the soft landscaping which contributes to the rural character of the area, in accordance with Policy GP1.

The introduction of first floor accommodation is supported by the IDP as it makes the most effective and efficient use of land. The revision to a hipped roof ensures that there is no significant harm to neighbours in terms of the visual/physical impact, overshadowing or loss of light, given the proximity of the neighbours conservatory. On balance, the revised hipped roof design, in conjunction with the existing high mature hedge was considered to mitigate the concerns to an acceptable level.

The first floor windows adjacent to the boundary with the neighbour to the north serve an ensuite bathroom and dressing room and it is therefore considered acceptable to require these to be obscure glazed by condition, in order to prevent

harmful direct views into the neighbours garden. Similarly, it is considered necessary to use a 1.8m privacy screen to the northern edge of the proposed balcony to prevent overlooking of the neighbours.

The proposals will not have a significant impact on any other neighbours due to the position on the corner with no neighbour to the south, and a distance of at least 28m between the new first floor rear balcony and neighbour to the east (rear) along with an intervening significant mature hedge boundary.

The front garden slopes steeply down towards the house, and it is considered necessary to ensure that the paving used is permeable to prevent any issues with surface water drainage.

The use of the proposed materials and an external insulating render system is acceptable and will not have a harmful impact on the character of the area.

All material considerations as set out in the Land Planning and Development (Guernsey) Law, 2005 and the Land and Planning (General Provisions) Ordinance 2007 have been taken into account in the assessment of this application.

Recommendation:

Grant with Conditions



Date: 23/11/2023

